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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE

SAVE OUR FOREST ASSOCIATION,
INC.,

Plaintiff,

vs.

UNITED STATES FOREST SERVICE, *et*
al.,

Federal Defendants.

Case No.: 5:24-cv-01336-JGB-DTB

[PROPOSED] ORDER
DENYING PLAINTIFF'S
MOTION TO COMPLETE THE
ADMINISTRATIVE RECORD

Courtroom: 1

Judge: Hon. Jesus G. Bernal

Action Filed: June 25, 2024

17 Before the Court is Plaintiff's October 20, 2025 "Motion to Complete the
18 Administrative Record," ECF No. 81. For the reasons set forth below, the Court
19 DENIES the Motion.

20 * * *

21 Federal Defendants compiled, certified, and lodged the Administrative Record
22 for the Forest Service agency actions challenged in Plaintiff's First Amended
23 Complaint on September 29, 2025. ECF No. 77. Plaintiff's Motion fails to overcome
24 the presumption that the Forest Service properly designated the Administrative
25 Record. *See, e.g., Goffney v. Becerra*, 995 F.3d 737, 748 (9th Cir. 2021) (holding
26 that because, "like other official agency actions, an agency's statement of what is in
27 the [Administrative R]ecord is subject to a presumption of regularity," the courts

1 “must therefore presume that an ‘agency properly designated the Administrative
2 Record absent clear evidence to the contrary.’”) (quoting *Bar MK Ranches v. Yuetter*,
3 994 F.2d 735, 740 (10th Cir. 1993)). Plaintiff asks this Court to order the Forest
4 Service to “complete” the Administrative Record for the decision-making processes
5 at issue in this case with the entire record before the California State Water Resources
6 Control Board (“SWRCB”) as well as the entire administrative record lodged with the
7 Court in *Ctr. for Biological Diversity v. U.S. Forest Serv.*, No. EDCV-15-2098-JGB
8 (DTBx), 2016 WL 5334474 *6-7 (C.D. Cal. Sept. 20, 2016) (“Nestlé Waters case”).
9 Plaintiff has failed to produce any evidence, let alone “clear evidence,” that the Forest
10 Service considered any of the materials in these other records as part of the decision-
11 making processes for the agency actions challenged in this lawsuit, beyond the
12 documents from these records that the Forest Service has already included in the
13 certified Administrative Record. *See, e.g., Blue Mountain Biodiversity Project v.*
14 *Jeffries*, 99 F.4th 438, 445-46 (9th Cir. 2024) (rejecting almost identical argument
15 because the Forest Service properly included in the Administrative Record only those
16 documents from in the prior 2016 Administrative Record that the agency considered
17 in the 2020 decision-making process at issue in the litigation).

18 * * *

19 Accordingly, the Court DENIES Plaintiff’s October 20, 2025 “Motion to
20 Complete the Administrative Record,” ECF No. 81.

21
22 IT IS HEREBY ORDERED.

23
24 Dated:

25 By: _____
26 The Hon. Jesus G. Bernal
27 United States District Judge